

§ 302.3 Rules of procedure, description of forms available, the places at which forms may be obtained, and instructions as to the scope and content of all papers, reports, or examinations.

Forms regarding the following listed matters and instructions relating thereto may be obtained upon application to the offices listed below.

Application for Peace Corps, Office of Recruitment, Room P-301.

Volunteer Service, Peace Corps, 806 Connecticut Avenue NW., Washington, DC 20526, or the Peace Corps area recruitment offices listed in § 302.2(a)(2).

§ 302.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the agency.

The Peace Corps regulations published under the provisions of the Administrative Procedure Act are found in part 301 of title 22 of the Code of Federal Regulations and the FEDERAL REGISTER. These regulations are supplemented from time to time by amendments appearing initially in the FEDERAL REGISTER.

PART 303—INSPECTION AND COPYING OF RECORDS: RULES FOR COMPLIANCE WITH FREEDOM OF INFORMATION ACT

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§ 303.1 Purpose.

The purpose of this part is to prescribe rules for the inspection and copying of opinions, policy statements, staff manuals, instructions, and other records of the Peace Corps pursuant to 5 U.S.C. 552.

§ 303.2 Definitions.

As used in this part, the following definitions shall apply:

(a) *The Agency* means Peace Corps.

(b) *Records* includes all books, papers, maps, photographs, films, tapes, or other documentary material or copies thereof, regardless of physical form or characteristics, made in or received by the Peace Corps and preserved as evidence of its organization, functions, policies, decisions, procedures, operations or other activities but does not include books, magazines, or other materials acquired solely for library purposes and available in the library of the agency.

(c) *Identifiable* means, in the context of a request for a record, one which is reasonably described in a manner sufficient to permit the location of the material requested.

(d) *Unit* means an office of the Agency headed by a senior official who shall be responsible for making initial determinations of availability of documents or records requested hereunder. The head of any such Unit may delegate his or her responsibility hereunder to his or her Deputy or some other official during any absence of such official. At present, the units of the Agency for the purposes hereof consist of, the Office of the Director; the Executive Secretariat; the Office of Private Sector Development; the Office of Executive Talent Search; the Office of General Counsel and Legislative Liaison; the Office of Public Affairs; the Office of the Associate Director for Marketing, Recruitment, Placement and Staging; the Office of the Associate Director for International Operations; and the Office of the Associate Director for Management.

§ 303.3 Records generally available.

The agency will make promptly available to any member of the public the following documents:

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(a) All final opinions and orders made in the adjudication of cases.

(b) Statements of policy and interpretation adopted by the agency which have not been published in the FEDERAL REGISTER.

(c) Administrative staff manuals and instructions to the staff which affect a member of the public.

(d) A current index, which shall be updated at least quarterly, covering so much of the foregoing materials as may have been issued, adopted or promulgated after July 4, 1967, is maintained by the Agency and copies of same or any portion thereof shall be furnished upon request at a cost not to exceed the cost of duplication. The Agency deems further publication of such index in the FEDERAL REGISTER both unnecessary and impractical.

(e) To the extent necessary to prevent a clearly unwarranted invasion of personal privacy, the Agency may delete identifying details from materials furnished under this section.

(f) Brochures, flyers and other similar material shall be furnished to the extent that same are available. Copies of any such brochures and flyers which are out of print shall be furnished upon request at the cost of duplication, provided, however, that in the event no copy exists, the Agency shall not be responsible for reprinting the same.

(g) The Agency will not be required to create or compile selected items from its file and records or to provide a requester with statistical or other data unless such data has been compiled by the Agency and is available in the form of a record in which event such record shall be made available as provided in this part.

§ 303.4 Availability of records.

All records of the Peace Corps, in addition to those ordinarily maintained and disseminated under § 303.3 hereof, requested under 5 U.S.C. 552(a)(3) and reasonably described in any request therefore shall be made promptly available upon request of any member of the public for inspection or copying upon compliance with procedures established in this part, except to the extent that a determination is made, in accord with the procedures set forth herein, that a record is exempt from

disclosure, and should be withheld in the public interest. All publications and other documents heretofore provided by the Peace Corps in the normal course of business will continue to be made available upon request to the appropriate unit of the Agency. No charge will be made for such documents unless necessary by reason of the fact that such document is no longer in print in which case the charge shall not exceed the cost of duplication as set forth herein.

§ 303.5 Records which may be exempt from disclosure.

The following categories are examples of records maintained by the Peace Corps which, under the provisions of 5 U.S.C. 552(b), may be exempted from disclosure:

(a) Records required to be withheld under criteria established by an Executive Order in the interest of national defense or foreign policy and which are in fact properly classified pursuant to any such Executive Order. Included in this category are records required by Executive Order No. 12356, as amended, to be classified in the interest of national defense or foreign policy.

(b) Records related solely to internal personnel rules and practices. Included in this category are internal rules and regulations relating to personnel management and operations which cannot be disclosed to the public without substantial prejudice to the effective performance of a significant function of the Agency.

(c) Records specifically exempted from disclosure by statute.

(d) Information of a commercial or financial nature including trade secrets given in confidence. Included in this category are records containing commercial or financial information obtained from any person and customarily regarded as privileged and confidential by the person from whom they were obtained.

(1) It is the policy of the Peace Corps not to release information which is a trade secret, or commercial or financial information which was obtained from a person and is privileged or confidential within the meaning of 5 U.S.C. 552(b)(4). It is also the policy of the Peace Corps to give submitters of